Punishment for construction of dry latrines

*404. SHRI RAMACHANDRA KHUNTIA: Will the Minister of URBAN DEVELOPMENT AND POVERTY ALLEVIATION be pleased to state:

(a) whether construction of dry latrines is unlawful under the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993;

(b) if so, the number of people punished/fined for construction of dry latrines since the enactment of the Act, State-wise;

(c) the reasons for implementation of this Act only in fifteen States at present; and

(d) the steps taken to impress upon all the States to adopt and properly implement this Act?

THE MINISTER OF URBAN DEVELOPMENT AND POVERTY ALLEVIATION (SHRI ANANTH KUMAR): (a) Yes, Sir.

(b) No such data is compiled in this Ministry.

(c) The subject Sanitation falls under Entry 6 of List II (State List) of the Seventh Schedule to the Constitution of India. The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 was enacted by the Parliament under Article 252 when State Legislatures of Andhra Pradesh, West Bengal, Maharashtra, Karnataka, Tripura and Goa passed Resolutions empowering the Parliament to enact a Legislation for abolishing manual scavenging by declaring employment of manual scavengers for removal of human excreta an offence and thereby prevent further proliferation of dry latrines. The said Act, which has been passed by the Parliament under Article 252 (i), will be applicable only to those States which adopt this Act. At present, Act is applicable to 17 States and in all the Union Territories.

(d) the State Governments have been urged from time to time to take steps towards adoption/implementation of this Act through communications addressed to the State Governments at various levels and also by highlighting this during meetings held in this Ministry from time to time.